

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-00691-TNM**

PUBLIC CITIZEN, INC. v. UNITED STATES DEPARTMENT
OF EDUCATION

Assigned to: Judge Trevor N. McFadden
Cause: 05:552 Freedom of Information Act

Date Filed: 03/28/2018

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

PUBLIC CITIZEN, INC.

represented by **Julie A. Murray**
PLANNED PARENTHOOD
FEDERATION OF AMERICA
1110 Vermont Avenue, NW
Suite 300
Washington, DC 20005
(202) 803-4045
Email: julie.murray@citizen.org
TERMINATED: 12/13/2018
LEAD ATTORNEY

Patrick D. Llewellyn
PUBLIC CITIZEN LITIGATION
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ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES DEPARTMENT OF
EDUCATION**

represented by **Daniel Patrick Schaefer**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
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Date Filed	#	Docket Text
03/28/2018	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF EDUCATION (Filing fee \$ 400 receipt number 0090-5392676) filed by PUBLIC CITIZEN, INC..(Murray, Julie) (Additional attachment(s) added on 3/29/2018: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons) (zsth). (Entered: 03/28/2018)
03/28/2018		Case Assigned to Judge Trevor N. McFadden. (zsth) (Entered: 03/29/2018)
03/29/2018	<u>2</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF EDUCATION, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zsth) (Entered: 03/29/2018)
03/29/2018	<u>3</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by PUBLIC CITIZEN, INC. (Murray, Julie) (Entered: 03/29/2018)

03/30/2018	<u>4</u>	STANDING ORDER Establishing Procedures for Cases Before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and comply with the directives in the attached standing order. Signed by Judge Trevor N. McFadden on 3/30/18. (lctnm1) (Entered: 03/30/2018)
04/02/2018	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/2/2018. Answer due for ALL FEDERAL DEFENDANTS by 5/2/2018. (Murray, Julie) (Entered: 04/02/2018)
04/25/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 04/06/2018. (Murray, Julie) (Entered: 04/25/2018)
04/25/2018	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF EDUCATION served on 4/5/2018 (Murray, Julie) (Entered: 04/25/2018)
05/02/2018	<u>8</u>	NOTICE of Appearance by Daniel Patrick Schaefer on behalf of UNITED STATES DEPARTMENT OF EDUCATION (Schaefer, Daniel) (Entered: 05/02/2018)
05/02/2018	<u>9</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF EDUCATION.(Schaefer, Daniel) (Entered: 05/02/2018)
05/03/2018		MINUTE ORDER. Before the Court are a complaint and an answer in this FOIA case. It is hereby ORDERED that the parties shall meet and confer and file a Joint Status Report proposing a schedule for proceeding in this matter. The schedule should address, among other things, the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. The parties shall file the schedule on or before May 24, 2018. Signed by Judge Trevor N. McFadden on 5/3/2018. (lctnm1) (Entered: 05/03/2018)
05/03/2018	<u>10</u>	NOTICE of Appearance by Patrick D. Llewellyn on behalf of PUBLIC CITIZEN, INC. (Llewellyn, Patrick) (Entered: 05/03/2018)
05/03/2018		Set/Reset Deadlines: Parties shall meet and confer and file a Joint Status Report by 5/24/2018. (hmc) (Entered: 05/03/2018)
05/24/2018	<u>11</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF EDUCATION. (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 05/24/2018)
05/24/2018		MINUTE ORDER: In light of the parties' <u>11</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further Joint Status Report with a proposed schedule for any further proceedings by June 21, 2018. SO ORDERED. Signed by Judge Trevor N. McFadden on 5/24/18. (lctnm1) (Entered: 05/24/2018)
05/25/2018		Set/Reset Deadlines: A further Joint Status Report due by 6/21/2018. (hmc) (Entered: 05/25/2018)
06/21/2018	<u>12</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF EDUCATION. (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 06/21/2018)
06/22/2018		MINUTE ORDER: Upon consideration of the parties' <u>12</u> Joint Status Report, the Department of Education is ORDERED to complete its review and make a final response and release of records by July 20, 2018. The parties shall file a Joint Status Report with a proposed schedule for any further proceedings they think necessary by July 30, 2018. SO ORDERED. Signed by Judge Trevor N. McFadden on 6/22/18. (lctnm1) (Entered: 06/22/2018)
06/22/2018		Set/Reset Deadlines: Department of Education's final response and release of records due by 7/20/2018. Joint Status Report due by 7/30/2018. (hmc) (Entered: 06/22/2018)
07/30/2018	<u>13</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF EDUCATION. (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 07/30/2018)

07/31/2018		MINUTE ORDER: Upon consideration of the parties' <u>13</u> Joint Status Report, it is hereby ORDERED that the parties shall file a Joint Status Report with a proposed schedule for any further proceedings they think necessary by August 29, 2018. SO ORDERED. Signed by Judge Trevor N. McFadden on 7/31/18. (lctnm1) (Entered: 07/31/2018)
07/31/2018		Set/Reset Deadlines: Joint Status Report due by 8/29/2018. (hmc) (Entered: 07/31/2018)
08/29/2018	<u>14</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF EDUCATION. (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 08/29/2018)
08/30/2018		MINUTE ORDER: Upon consideration of the parties' <u>14</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further Joint Status Report with a proposed schedule for any further proceedings they think necessary by September 27, 2018. SO ORDERED. Signed by Judge Trevor N. McFadden on 8/30/18. (lctnm1) (Entered: 08/30/2018)
08/31/2018		Set/Reset Deadlines: A further Joint Status Report is due by 9/27/2018. (hmc) (Entered: 08/31/2018)
09/27/2018	<u>15</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF EDUCATION. (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 09/27/2018)
09/27/2018		MINUTE ORDER: Upon consideration of the parties' <u>15</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further Joint Status Report with a proposed schedule for any further proceedings they think necessary by October 30, 2018. SO ORDERED. Signed by Judge Trevor N. McFadden on 9/27/18. (lctnm1) (Entered: 09/27/2018)
09/27/2018		Set/Reset Deadlines: Joint Status Report due by 10/30/2018. (hmc) (Entered: 09/27/2018)
10/30/2018	<u>16</u>	Joint STATUS REPORT by PUBLIC CITIZEN, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Murray, Julie) (Entered: 10/30/2018)
10/31/2018		MINUTE ORDER: Upon consideration of the parties' <u>16</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further Joint Status Report with a proposed schedule for any further proceedings that they think necessary by November 29, 2018. SO ORDERED. Signed by Judge Trevor N. McFadden on 10/31/18. (lctnm1) (Entered: 10/31/2018)
10/31/2018		Set/Reset Deadlines: Joint Status Report due by 11/29/2018. (hmc) (Entered: 10/31/2018)
11/29/2018	<u>17</u>	Joint STATUS REPORT by PUBLIC CITIZEN, INC.. (Attachments: # <u>1</u> Exhibit Pl.'s August 22 Letter, # <u>2</u> Exhibit Pl.'s November 28 Chart)(Murray, Julie) (Entered: 11/29/2018)
12/03/2018		MINUTE ORDER. Upon consideration of <u>17</u> Status Report, the parties are hereby ORDERED to appear for a Status Conference on January 4, 2019 at 10 a.m. in Courtroom 2 before Judge Trevor McFadden. The parties are also ORDERED to submit a joint status report on or before January 2, 2019. SO ORDERED. Signed by Judge Trevor N. McFadden on 12/3/18. (lctnm1) (Entered: 12/03/2018)
12/03/2018		Set/Reset Deadlines/Hearings: Joint Status Report due by 1/2/2019. Status Conference set for 1/4/2019 at 10:00 AM in Courtroom 2 before Judge Trevor N. McFadden. (hmc) (Entered: 12/03/2018)
12/13/2018	<u>18</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to PUBLIC CITIZEN, INC.. Attorney Julie A. Murray terminated. (Murray, Julie) (Entered: 12/13/2018)
12/21/2018	<u>19</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF EDUCATION. (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 12/21/2018)
12/21/2018	<u>20</u>	Joint MOTION to Vacate <i>Status Conference</i> by UNITED STATES DEPARTMENT OF EDUCATION (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 12/21/2018)

12/21/2018		MINUTE ORDER. Upon consideration of <u>19</u> Joint Status Report, the Status Conference is continued to February 4, 2019 at 10 a.m. in Courtroom 2 before Judge Trevor McFadden. The parties are also ORDERED to submit a joint status report on or before January 22, 2019. SO ORDERED. Signed by Judge Trevor N. McFadden on 12/21/18. (Entered: 12/21/2018)
12/26/2018		Set/Reset Deadlines/Hearings: Joint Status Report due by 1/22/2019. Status Conference continued to 2/4/2019 at 10:00 AM in Courtroom 2 before Judge Trevor N. McFadden. (hmc) (Entered: 12/26/2018)
01/08/2019		NOTICE OF RESCHEDULED HEARING: The parties shall take notice that the Status Conference set for 2/4/2019, that was originally set to begin at 10:00 AM is rescheduled for 11:00 AM in Courtroom 2 before Judge Trevor N. McFadden. (hmc) (Entered: 01/08/2019)
01/22/2019	<u>21</u>	STATUS REPORT by PUBLIC CITIZEN, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Llewellyn, Patrick) (Entered: 01/22/2019)
01/28/2019		MINUTE ORDER. Upon consideration of <u>21</u> Joint Status Report and the restoration of funding, parties are hereby ORDERED to file a status report on or before February 1, 2019. The status conference will be held on February 4, 2019 at 11:00 AM in Courtroom 2 before Judge Trevor N. McFadden. SO ORDERED. Signed by Judge Trevor N. McFadden on 1/28/19. (lctnm1) (Entered: 01/28/2019)
01/28/2019		Set/Reset Deadlines: Joint Status Report due by 2/1/2019. (hmc) (Entered: 01/28/2019)
01/31/2019	<u>22</u>	Joint STATUS REPORT by PUBLIC CITIZEN, INC.. (Llewellyn, Patrick) (Entered: 01/31/2019)
02/01/2019		MINUTE ORDER: Upon consideration of the parties' <u>22</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further Joint Status Report with a proposed schedule for any further proceedings that they think necessary by March 1, 2019. The status conference set for February 4, 2019 is VACATED. Signed by Judge Trevor N. McFadden on 2/1/19. (lctnm1) (Entered: 02/01/2019)
02/01/2019		Set/Reset Deadlines: Joint Status Report due by 3/1/2019. (hmc) (Entered: 02/01/2019)
03/01/2019	<u>23</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF EDUCATION. (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 03/01/2019)
03/01/2019		MINUTE ORDER: Upon consideration of the parties' <u>23</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further Joint Status Report on or before April 1, 2019. Signed by Judge Trevor N. McFadden on 3/1/19. (lctnm1) (Entered: 03/01/2019)
03/04/2019		Set/Reset Deadlines: Joint Status Report due by 4/1/2019. (hmc) (Entered: 03/04/2019)
04/01/2019	<u>24</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF EDUCATION. (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 04/01/2019)
04/02/2019		MINUTE ORDER: Upon consideration of the parties' <u>24</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further Joint Status Report on or before April 23, 2019. Signed by Judge Trevor N. McFadden on 4/2/19. (lctnm1) (Entered: 04/02/2019)
04/02/2019		Set/Reset Deadlines: Joint Status Report due by 4/23/2019. (hmc) (Entered: 04/02/2019)
04/23/2019	<u>25</u>	Joint STATUS REPORT by PUBLIC CITIZEN, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Llewellyn, Patrick) (Entered: 04/23/2019)
04/24/2019		MINUTE ORDER. Upon consideration of <u>25</u> Joint Status Report, it is hereby ORDERED that the Defendant shall make a final response and final production of responsive records on or before May 2, 2019. It is further ORDERED that the parties shall submit a joint status report on or before May 30, 2019. SO ORDERED. Signed by Judge Trevor N. McFadden on 4/24/19. (lctnm1) (Entered: 04/24/2019)
04/24/2019		Set/Reset Deadlines: Defendant's final response and final production due by 5/2/2019. Joint Status Report due by 5/30/2019. (hmc) (Entered: 04/24/2019)